

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA**  
Plaintiff

v.

**Case Number 4:06cr3125-001**

**TROY J. LINK**

Defendant

**MARK A. WEBER**

Defendant's Attorney

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**JUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)**

**THE DEFENDANT** pleaded guilty to count I of the Information on 9/20/2006

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following offense:

<u>Title, Section &amp; Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
16:742j-1 AIRBORNE HARASSMENT	11/18/2004	I

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Following the imposition of sentence, the Court advised the defendant of his right to appeal pursuant to the provisions of Fed. R. Crim. P. 32 and the provisions of 18 U.S.C. § 3742 (a) and that such Notice of Appeal must be filed with the Clerk of this Court within ten (10) days of this date.

**IT IS ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:  
September 20, 2006

s/ David L. Piester  
United States Magistrate Judge

September 26, 2006

## PROBATION

The defendant is hereby sentenced to probation for a term of **two (2) Years**.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

*For offenses committed on or after September 13, 1994:*

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with any additional conditions.

### STANDARD CONDITIONS OF SUPERVISION

1. the defendant shall not leave the judicial district without the notifying the supervising probation officer;
2. the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. the defendant shall support his or her dependents and meet other family responsibilities;
5. the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11. the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

### **SPECIAL CONDITIONS OF SUPERVISION**

1. The defendant shall provide the United States Probation officer with access to any requested financial information (if the fine is not timely paid)
2. The defendant shall refrain from any hunting, fishing, or trapping in any state, and shall not accompany anyone while they are hunting, fishing or trapping
3. The defendant shall not obtain a hunting, fishing, or trapping license or permit in any state, and shall surrender any such license or permit he may have received prior to being placed on probation.
4. The defendant shall report to the United States Probation Office for the District of Nebraska between the hours of 8:00am and 4:30pm, 111 South 18<sup>th</sup> Plaza, Suite C79, Omaha, Nebraska, (402) 661-7555, within seventy-two (72) hours of being placed on probation and, thereafter, as directed by the probation officer.
5. Defendant shall not enter upon or be found within any wildlife preserve, wilderness area, or similar area within the United States or its territories set aside or used for the protection of wildlife, which is designated, owned, or managed by any governmental unit, agency, or authorized body, local, state, or federal.
6. Defendant shall not be present in any aircraft (including helicopters, ultra-light aircraft, parachutes, or other motorized or non-motorized mechanisms used for flying) occupying the airspace above any such area set aside for the protection of wildlife by any agency or governmental body, federal, state or local, at an altitude of less than 10,000 feet, unless: (a) it is necessary to traverse such airspace for take-off or landing, or (b) the aircraft is a commercial airliner providing transportation to the general public, or c) permission for such activity has previously been granted by the supervising probation officer after first conferring with the person in charge of the particular area if there is such a person present at the area or otherwise reasonably available, or (d) the defendant's presence is incidental to a medical emergency.
7. Defendant shall not permit any aircraft owned by or leased or loaned to defendant, or anyone or entity associated with the defendant, to be present in such airspace as prohibited by paragraph 6, above.

### **CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

<u><b>Total Assessment</b></u>	<u><b>Total Fine</b></u>	<u><b>Total Restitution</b></u>
<b>\$25.00</b>	<b>\$5,000</b>	
	<b>FINE</b>	

A Fine in the amount of \$5,000 is imposed.

The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options in the Schedule of Payments may be subject to penalties for delinquency and default pursuant to 18 U.S.C. § 3612(g).

### **RESTITUTION**

No restitution was ordered.

### **SCHEDULE OF PAYMENTS**

The defendant shall pay the special assessment in the amount of \$25.00 and a fine in the amount of \$5000.00.

The criminal monetary penalty is due in full on the date of the judgment. The defendant is obligated to pay said sum immediately if he or she has the capacity to do so. The United States of America may institute civil collection proceedings at any time to satisfy all or any portion of the criminal monetary penalty.

Without limiting the foregoing, the defendant shall make payments to satisfy the criminal monetary penalty in the following manner: (a) monthly installments of \$100 or 3% of the defendant's gross income, whichever is greater; (b) the first payment shall commence 30 days following the defendant's discharge from incarceration, and continue until the criminal monetary penalty is paid in full; and c) the defendant shall be responsible for providing proof of payment to the probation officer as directed.

Any payments made on the outstanding criminal monetary penalty shall be applied in the following order of priority: special assessment; restitution; fine; and other penalties. Unless otherwise specifically ordered, all criminal monetary penalty payments, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, shall be made to the clerk of the Court. Unless otherwise specifically ordered, interest shall not accrue on the criminal monetary penalty.

All financial penalty payments are to be made to the Clerk of Court for the District of Nebraska, 111 S. 18<sup>th</sup> Plaza, Suite 1152, Omaha, NE 68102-1322.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The defendant shall inform the probation officer of any change in his or her economic circumstances affecting the ability to make monthly installments, or increase the monthly payment amount, as ordered by the court.

The defendant is restrained from transferring any real or personal property, unless it is necessary to liquidate and apply the proceeds of such property as full or partial payment of the criminal monetary penalty.

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CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: \_\_\_\_\_

DENISE M. LUCKS, CLERK

By \_\_\_\_\_ Deputy Clerk